



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

Date: MAR 19 2002

Certified Mail No: 70000520002161067753
Return Receipt Requested

D. A. Shaw, Director
Copper State Analytical Lab, Inc.
710 East Evans Street
Tucson, AZ 85713

Re: Request for Information

Dear Mr. Shaw:

This letter seeks your cooperation in providing information and documents relating to the contamination of soils and groundwater in Tucson, Arizona, associated with the Tucson International Airport Area Superfund Site ("Site"). The Arizona Department of Environmental Quality ("ADEQ") and the United States Environmental Protection Agency ("EPA") are spending public funds to investigate actual and threatened releases of hazardous substances at the Site. ADEQ and EPA are conducting this investigation to determine the nature and extent of contamination in the area, to assess the effects of contamination on the environment and human health, and to identify activities and parties that contributed to the contamination. This request is for information that Copper State Analytical Lab, Inc. may have pertaining to General Electric Company, Inc., Tucson Shop located at 1401 East Valencia Road, Tucson, AZ. EPA has identified and reviewed past records of testing performed by Copper State Analytical Lab, Inc. at the General Electric Company, Inc. facility.

EPA believes that Copper State Analytical Lab, Inc. may have information which could assist EPA and ADEQ in their investigation. We encourage you to give this matter your immediate attention and request that you provide a complete and truthful response to this Information Request and attached questions (Enclosure B) within thirty (30) calendar days of your receipt of this letter. Instructions on how to respond to the questions are provided in Enclosure A. Your response to this letter should be made in writing, signed by you or a duly authorized representative of Copper State Analytical Lab, Inc.

Under section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. section 9604(e), EPA has broad information gathering authority

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which allows EPA to require:

[A]ny person who has or may have information relevant to any of the following to furnish, upon reasonable notice, information or documents relating to such matter:

- (A) The identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility or transported to a vessel or facility.
- (B) The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility.
- (C) Information relating to the ability of a person to pay for or perform a cleanup.

Please note that your compliance with this Information Request is mandatory. Failure to respond fully and truthfully could result in enforcement action by EPA pursuant to section 104(e)(5) of CERCLA, 42 U.S.C. section 9604(e)(5). This statutory provision, as amended, authorizes EPA to seek the imposition of penalties up to \$27,500 per day of noncompliance. Please be further advised that provision of false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. section 1001. The information you provide may be used by EPA in administrative, civil or criminal proceedings.

This request for information is not subject to review by the Office of Management and Budget ("OMB") under the Paperwork Reduction Act because it is not an "information collection request" within the meaning of 44 U.S.C. sections 3502(3), 3507, 3512, and 3518(c)(1). See also, 5 C.F.R. sections 1320.3, 1320.4, and 1320.6.

You may consider some of the information EPA is requesting to be confidential. Please be aware that you may not withhold the information on that basis. If you wish EPA to treat the information confidentially, you must advise EPA of that fact by following the procedures outlined in Enclosure A, including providing support for your claim of confidentiality.

If you have information about other parties who may have information that may assist in this investigation of the Site or parties that may be responsible for contamination at the Site, that information should be submitted within the time frame noted above.

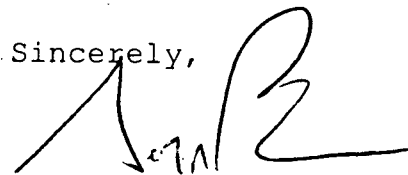
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Your response should include the appropriate name, address, and telephone number of the person to whom EPA should direct future correspondence in regard to this matter on behalf of Copper State Analytical Lab, Inc. Your response should be directed to Steven Arbaugh at the following address:

Steven Arbaugh
Civil Investigator, SFD-7-B
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105

We appreciate and look forward to your response to this Information Request. If you have any questions regarding this Information Request, please contact Steven Arbaugh at (415) 972-3113. Please direct any legal questions to Bethany Dreyfus at (415) 972-3886.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sean Hogan', with a stylized flourish extending from the end.

Sean Hogan, Chief
Private Sites/DOE Section
Superfund Division

Enclosures (2)

ENCLOSURE A: INSTRUCTIONS AND DEFINITIONS

Instructions

1. A separate response must be made to each of the questions set forth in this Information Request.
2. Please provide the answers to the questions on a separate piece or pieces of paper. Please indicate at the beginning of each answer the number of the question to which the answer corresponds. Please type or print clearly.
3. For each question, please identify all documents consulted in the preparation of the answer.
4. To the extent that you do not respond to any question, please explain why you are not responding to the question.
5. If for any reason you are withholding any documents that are responsive to this Information Request, identify the document(s) and state your basis for withholding the document(s).
6. For each question contained in this letter, if information responsive to this Information Request is not in your possession, custody, or control, please identify the person(s) from whom such information may be obtained.
7. If additional information or documents responsive to this Information Request become known or available to you after you respond, EPA hereby requests pursuant to CERCLA Section 104(e) that you supplement your response to EPA.

Definitions

The following definitions shall apply to the following words as they appear in this Information Request.

1. The term "you" shall mean Copper State Analytical Lab, Inc. The term "you" also includes any officers, managers, employees, contractors, trustees, successors, assigns, and agents of Copper State Analytical Lab, Inc.
2. The term "person" shall include any individual, firm, unincorporated association, partnership, corporation, trust, or other entity.

3. The term "Site" shall mean the Tucson International Airport Area Superfund Site, located in Tucson, Arizona.

4. The term "hazardous substance" shall have the same definition as that contained in section 101(14) of CERCLA, and includes any mixtures of such hazardous substances with any other substances, including mixtures of hazardous substances with petroleum products or other nonhazardous substances.

5. With respect to an individual, the term "identify" means to provide the person's name, present or last known business address and business telephone number, and affiliation (if any) with the individual and/or company to whom/which this request is addressed. If you do not know the person's business address and business telephone number, provide the person's home address and home telephone number, if known.

6. The term "document" includes any written, recorded, computer generated, or visually or aurally reproduced material of any kind in any medium in your possession, custody, or control or known by you to exist, including originals, all prior drafts, and all non-identical copies.

Disclosure of confidential information

EPA is requesting this information pursuant to the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), section 104(e). EPA has the authority to use the information requested in this letter in an administrative, civil, or criminal action. You may assert a business confidentiality claim covering all or part of the information requested in this letter, as provided in 40 Code of Federal Regulations ("C.F.R.") section 2.203(b).

If you make a claim of confidentiality for any of the information you submit to EPA, you must substantiate that claim. For each document, your substantiation must separately address the following points enumerated in 40 C.F.R. section 2.204(e):

1. the portions of the information alleged to be entitled to confidential treatment;

2. the period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently);

3. measures taken by you to guard against the undesired disclosure of the information to others;
4. the extent to which the information has been disclosed to others, and the precautions taken in connection therewith;
5. pertinent confidentiality determinations, if any, by EPA or other federal agencies, and a copy of any such determinations or reference to them, if available; and
6. whether you assert that disclosure of the information would be likely to result in substantial harmful effects on your business' competitive position, and, if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects.

To make a confidentiality claim, please stamp or type "confidential" on each page of any confidential responses and any related confidential documents. Confidential portions of otherwise non-confidential documents should be clearly identified. You should also indicate a date, if any, after which the information need no longer be treated as confidential. You must also include the information necessary to substantiate your claim (as described above). Please enclose all material identified as confidential in a separate envelope. For all information not clearly marked as confidential, EPA will consider any confidentiality claim to be waived, and this information may be made publicly available without further notice.

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. section 2.08, which provides in part that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, and that it is not and has not been obtainable by legitimate means without your consent.

Information covered by such a claim will be disclosed by EPA only to the extent permitted by CERCLA section 104(e). This includes EPA's contemplated disclosure of the requested information to the following authorized representatives of EPA, for purposes of EPA's response actions at the Site:

Arctic Slope Regional Corp.
EPA Contract Number 68-W01-0024

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Any comments on this contemplated disclosure must be submitted to Steven Arbaugh of EPA at the 75 Hawthorne Street address within fifteen (15) days of receipt of this Information Request. This notice is provided pursuant to 40 C.F.R. section 2.310(h).

The information that EPA intends to disclose to its authorized representatives includes any response to this Information Request. This information may be made available to these authorized representatives of EPA for any of the following reasons: document handling, inventory, and indexing; document review and analysis for verification of completeness; and expert technical review of the contents of the response. Pursuant to 40 C.F.R. section 2.310(h), you may submit comments on EPA's disclosure of any confidential information contained in your response by EPA to its authorized representatives along with the response itself within the time period specified above.

Any subsequent additions or changes in EPA contractors who may have access to your response to this Information Request will be published in the *Federal Register*.

ENCLOSURE B: QUESTIONS

1. State the full name, address, and telephone number, position or positions held by and tenure of the individual(s) answering any of these questions on behalf of Copper State Analytical Lab, Inc. concerning past lab services provided to General Electric Company, Inc., Tucson Shop located at 1401 East Valencia Road, Tucson, AZ. ("facility").
2. Please provide a summary of all services and lab results provided to General Electric Company, Inc., Tucson Shop, by Copper State Analytical Lab, Inc. and include the following information:
 - a. Hazardous substances tested for.
 - b. Location of where the actual testing occurred.
 - c. Results of such testing.
3. Did Copper State Analytical Lab, Inc. ever provide any lab testing services to detect trichloroethylene (TCE), dichloroethylene (DCE) and perchloroethylene (PCE) (also known as tetrachloroethylene) to General Electric Company, Inc., Tucson Shop? If so, please provide copies of such lab tests and their respective results.

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)											
<div style="float: right;">Postmark Here</div> <table border="1"> <tr> <td>Postage</td> <td>\$</td> </tr> <tr> <td>Certified Fee</td> <td></td> </tr> <tr> <td>Return Receipt Fee (Endorsement Required)</td> <td></td> </tr> <tr> <td>Restricted Delivery Fee (Endorsement Required)</td> <td></td> </tr> <tr> <td>Total Postage & Fees</td> <td>\$</td> </tr> </table>		Postage	\$	Certified Fee		Return Receipt Fee (Endorsement Required)		Restricted Delivery Fee (Endorsement Required)		Total Postage & Fees	\$
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Recipient's Name (Please Print Clearly) (To be completed by mailer) D. A. Shaw, Director Copper State Analytical Lab. Inc. 710 East Evans Street Tucson, AZ 85713 PS Form 3800, February 2000. See Reverse for Instructions.											

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY								
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<table border="1"> <tr> <td>A. Received by (Please Print Clearly) <i>Nick Altamirano</i></td> <td>B. Date of Delivery <i>3/25/02</i></td> </tr> <tr> <td colspan="2">C. Signature <i>[Signature]</i></td> </tr> <tr> <td colspan="2"> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee </td> </tr> <tr> <td colspan="2"> D. Is delivery address different from item 1? If YES, enter delivery address below: </td> </tr> </table>	A. Received by (Please Print Clearly) <i>Nick Altamirano</i>	B. Date of Delivery <i>3/25/02</i>	C. Signature <i>[Signature]</i>		<input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee		D. Is delivery address different from item 1? If YES, enter delivery address below:	
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<input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee									
D. Is delivery address different from item 1? If YES, enter delivery address below:									
1. Article Addressed to: D. A. Shaw, Director Copper State Analytical Lab. Inc. 710 East Evans Street Tucson, AZ 85713	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.								
2. Article Number (Copy from service label) 7000 0520 0021 6106 7753	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes								